

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Ivan Mosi Pickens

v.

Judy Baker, Jason Goyette,
Keith Griffin, Ralph Jesseman,
Howard Kelley, Robert King,
Michael McCann, Edward McFarland,
Terry Liver, Michael Wedge and
David Wilson

Case No. 14-cv-28-SM

O R D E R

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated January 22, 2016, for the reasons set forth therein. The court notes that the plaintiff had filed a Notice of Denial of Legal Documents, Legal Calls and Access to the Law Library (document no. 175) as well as a Notice of Change of Address (document no. 176). However, the plaintiff did not file any correspondence or pleadings requesting a continuance of his time within which to file an objection or response to the Report and Recommendation.


“ “[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.” ” School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of

Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

The Court hereby grants the defendants' motion for summary judgment (document no. 136), as to all claims asserted against defendants Judy Baker, Jason Goyette, Keith Griffin, Ralph Jesseman, Robert King, Michael McCann, Edward McFarland, Terry Oliver, Michael Wedge, and David Wilson. The Court also dismisses, without prejudice, all claims asserted against defendant Howard Kelley, the remaining defendant, pursuant to Federal Rule Civil Procedure 4(m). Plaintiff's petition for a writ of habeas corpus ad testificandum (document no. 168) is hereby denied as moot.

The Clerk of Court shall enter judgment in accordance with this order and close the case.

SO ORDERED.


Steven J. McAuliffe
United States District Judge

Date: February 23, 2016

cc: Ivan Mosi Pickens, Pro Se
Lynmarie C. Cusack, Esq.